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VIA HAND DELIVERY DECEMBER 5, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Fiscella et al.

Attorney Docket No.: PZ045P1

Application Serial No.: 09/832,129

Group Art Unit: 1653

Filed: April 11, 2001

Examiner: Robinson, H.

For: Secreted Protein HCE3C63 (as amended)

LETTER REGARDING PATENT TERM ADJUSTMENT CALCULATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

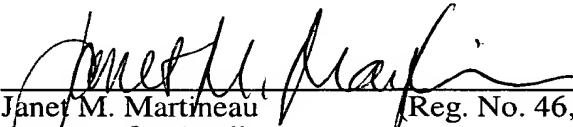
Sir:

Upon reviewing the "Determination of Patent Term Adjustment under 35 U.S.C. 1.54(b)" ("Determination") for the above-identified application, Applicants noted that there appears to be an error in calculation of the patent term adjustment. The Determination indicates that the patent term adjustment as of November 5, 2003 is 274 days. Applicants believe the term adjustment to be longer than appropriate and requests that the Patent and Trademark Office review its records to recalculate the patent term adjustment.

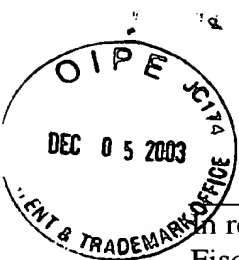
Applicants believe that any duty to disclose the error in calculation to the Patent and Trademark Office has been satisfied by the above.

Respectfully submitted,

Date: December 5, 2003


Janet M. Martineau (Reg. No. 46,903)
Attorney for Applicants

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INTERVIEW SUMMARY

Commissioner for Patents
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Alexandria, VA 22313-1450


Sir:

On October 30, 2003, Examiner Robinson and the undersigned had agreed to claim amendments to claims 37 and 42 to overcome objections to written description. Applicants then faxed to the Examiner an amended set of claims with claims 37 and 42 specifically amended. The Examiner subsequently entered the claim amendments to the record in the Examiner's Amendment dated November 5, 2003.

Applicants believe that the interview summary above satisfies M.P.E.P. § 713.04.

Respectfully submitted,

Date: December 5, 2003


Janet M. Martineau (Reg. No. 46,903)
Attorney for Applicants

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KKH/JMM/JL/vr